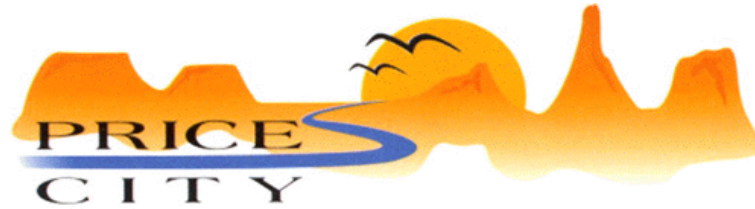


Chairman  
ROBERT OLIVER

City Attorney  
NICK SAMPINOS

Community Director  
NICK TATTON

City Recorder  
SHERRIE GORDON



**Commission**

JUDY BEACCO  
NANCY BENTLEY  
DALE EVANS  
ROBERT OLIVER  
RICHARD ROOT  
FRANKIE SACCO  
JAN YOUNG  
ERROLL HOLT, ALT.  
TODD THORNE, ALT.

**PRICE CITY PLANNING COMMISSION**

phone: (435) 636-3184 · Fax: (435) 637-2905

185 E. Main - P.O. Box 893

Price, Utah 84501

**PLANNING AND ZONING AGENDA**

**06/20/2016**

**THE PRICE CITY PLANNING AND ZONING COMMISSION WILL HOLD THEIR REGULARLY SCHEDULED MEETING ON THE ABOVE DATE AT 6:00 PM IN THE PRICE CITY HALL COUNCIL CHAMBERS (ROOM 104). THE PLANNING AND ZONING COMMISSION CHAIRMAN RESERVES THE RIGHT TO MODIFY THE SEQUENCE OF AGENDA ITEMS IN ORDER TO FACILITATE SPECIAL NEEDS.**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. MINUTES OF June 6, 2016
4. PUBLIC COMMENT ON AGENDA ITEMS
5. CONDITIONAL USE PERMIT
  - a. PAWNSHOP AND ARCADE - Consideration and possible approval of a pawnshop and arcade land use located at 90 E 100 S within the Commercial 1 (C-1) zoning district, Marty S. Robbins.
6. UNFINISHED BUSINESS

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should contact, City Recorder, Sherrie Gordon at 185 E. Main, Price, Utah - Telephone 636-3183 at least 24 hours prior to the meeting. This meeting may be held electronically via telephone to permit one or more of the council members to participate.

**PRICE CITY PLANNING AND ZONING MEETING  
MINUTES OF JUNE 6, 2016**

**PRESENT:**

Commissioners:

Judy Beacco	Nick Tatton, Community Director
Dale Evans	Sherrie Gordon, City Recorder
Todd Thorne	
Errol Holt	

**EXCUSED:** Commissioner Oliver, Commissioner Sacco, Commissioner Young, Commissioner Root, and Commissioner Bentley

**OTHERS PRESENT:** Wayne Clausung, Richard Nuffer, Summer Nuffer, and Tom Paluso

1. In the absence of Chairman Oliver and Vice Chair Sacco, Commissioner Evans called the meeting to order at 6:06 P.M. He led the Pledge of Allegiance.
2. Roll was called with the above Commissioners and staff present.
3. MINUTES OF May 23, 2016 –

Commissioner Thorne requested a correction of the spelling of his last name on Item 5 and Item 6.

**MOTION.** Commissioner Beacco moved to approve the correction of the spelling of Commissioner Thorne’s last name and approve the minutes. Motion seconded by Commissioner Holt and carried.

4. PUBLIC COMMENT ON AGENDA ITEMS – No public comment was received on any of the items.
5. CONDITIONAL USE PERMIT -
  - a. ASSISTED LIVING FACILITY - Consideration and possible recommendation of final approval for development of an assisted living facility at 75 E 500 N within the Public Facilities (PF) zoning district, Beehive Homes, Richard Nuffer.

A Conditional Use Permit (CUP) application was submitted by Richard Nuffer for locating an assisted care living center business at 75 E 500 N, called Beehive Homes of Price – Memory Care Center, within the Public Facilities (PF) zoning district. The PF zone accommodates public and quazi public as well as private land uses and, per Section 14.2.4 of the Price City Land Use Management and Development Code (Code) utilizes the ‘most similar’ land use codes for permitting purposes. In this case it is the Commercial 1 (C-1) zoning district requirements. The land use evaluation criteria for the PF zone district are listed in the in Section 14.1, paragraphs 1 thru 7 of the Code, the general land use evaluation criteria for the C-1 zone district are in Section 11.1 of the Code and the specific land use evaluation criteria/land use checklist for the C-1 zone district are in Section 11.1.m of the Code. The actual land use, Assisted Living Facility, is conditional and listed in Section 11.3.2.1.5.7 of the Code.

The Planning Commission discussed the land use and development plan. Commissioner Evans discussed the conditions of approval and led a discussion:

- Development of location to be consistent with the final site plan submitted to Price City and with all direction received from Price City professional staff as it relates to development and the site elements indicated below finding that agreed upon site development mitigates the potential for misunderstandings in the development process.
  - All on site exterior lighting to be high efficiency LED fixtures. All exterior lighting to be angled away from neighboring residential land uses and/or placed on timers and/or shielded from light transference to neighboring properties.
  - Perimeter resident safety fence to be as indicted in location and design style. Specific approval for the six foot (6’) height authorized finding that resident safety is improved and vehicle and pedestrian traffic is not negatively impacted by the fence. Fence must remain non-sight obscuring within a forty-foot (40’) safety triangle at the intersection at all times.
  - Utility connections to the site as indicated and as directed by the Price City Water, Sewer and Electric Departments in terms of size and location.
  - Monument sign installed as indicated on site plan authorized. No other signage authorized without review and approval by the Price City Planning Department.
  - Right turn only upon exit from off street parking with signage.

- Garbage dumpster to be located and identified on final site plan in screened enclosure with gates.
- Landscaping installed as indicated on site plans meeting the minimum five percent (5%) requirement. All landscaping to be water wise.
- Installation of all required public infrastructure including, but not limited to, curb, gutter, sidewalk, street lighting, electrical transformers, street signage, street striping, public fire hydrants in accordance with submitted and accepted plans and as directed by the Price City Public Works Department.
  - Completion of a public infrastructure development agreement, if and as required, with the Price City Public Works Department and submission of a financial surety guaranteeing the installation of public infrastructure.
  - Completion of a private utility agreement, if and as required, with the Price City Public Works Department, regarding the installation of internal water systems and connection to the public water system.
- Development consistent with storm water management and geotechnical studies and information submitted to Price City and any direction from the Price City Engineer finding that development consistent with approved plans mitigates development confusion and ensures quality development consistent with the Price City General Plan.
- Submission of building plans to the Price City building department for review and approval finding that properly submitted, reviewed and approved and inspected building construction protects the health, safety and welfare of the community.
  - All construction to be completed under the auspices of a Price City building permit.
- Application and receipt of Price City business license prior to opening and operation at site.
- Site plan final approval authorized for “Phase 2” of the project including: (1) Option 1: second building; or (2) Option 2: up to nine (9) individual residential cottages.
  - Utility connection plan approval and building plan approval and issuance of building permit by Price City for Phase 2 subject to additional review and approval.
  - Additional site plan elements required, including but not limited to, additional fencing, retaining walls, storm water management, off street parking, installation of additional public infrastructure, submission of additional or extended public infrastructure development agreement and surety
- No conditions at the property or structures, including hillside locations, that violate the Price City Property Maintenance Code finding that properly maintained property and structures mitigate deterioration of community property values and is consistent with the Price City General Plan.

ACCPETANCE: The applicant acknowledged that he is aware of the conditions of approval, understands the conditions of approval and intends to comply with the conditions of approval.

**MOTION.** Commissioner Thorne moved to recommend the Price City Council provide final approval for an Assisted Living Facility to be located at 75 E 500 N within the Public Facilities (PF) zoning district finding that the PF zone accommodates public and quazi public as well as private land uses and, per Section 14.2.4 of the Price City Land Use Management and Development Code (Code), utilizes the ‘most similar’ land use codes for permitting purposes, basing the final approval on the land use evaluation criteria for the PF zone district listed in the in Section 14.1, paragraphs 1 thru 7 of the Code, the general land use evaluation criteria for the C-1 zone district in Section 11.1 of the Code and the specific land use evaluation criteria/land use checklist for the C-1 zone district in Section 11.1.m of the Code, and the conditional land use, Assisted Living Facility, listed in Section 11.3.2.1.5.7 of the Code. Motion seconded by Commissioner Beacco and carried.

b. SITE PLAN AMENDMENT - Consideration and possible approval of a site plan amendment for expansion of the bar/lounge at the Ramada Inn, 838 Westwood Blvd., Jim Patel.

Tom Paluso, as agent and representative for Mr. Patel, presented on behalf of Mr. Patel who was not in attendance.

A Conditional Use Permit (CUP) application was submitted by Jim Patel, Ramada General Manager, for a site plan amendment to accommodate a physical facility expansion of the bar/lounge area of the hotel located at 838 Westwood Blvd. within the Commercial 1 (C-1) zoning district. The subject of the site plan amendment is the bar, a conditional use, based on Section 11.3.4.11 Drinking Places-Alcoholic Beverages, of the Price City Land Use Management and Development Code (Code). The general evaluation criteria for the land use and site plan amendment is listed in Section 11.1 of the Code and the specific land use evaluation criteria and land use checklist is in Section 11.1.m of the Code.

The Planning Commission discussed the expansion and the conditions of approval:

- Verify that no other renovations or site plan amendments are herein approved, only the expansion of the bar/lounge as indicated on the submitted amended site plan finding that restricted site plan approvals mitigate the potential for future misunderstandings.

- Acknowledge that all renovations will be completed under the auspices of a Price City Building Permit and building inspection finding that properly planned, reviewed, permitted and inspected commercial building renovations protect the health, safety and welfare of the community.
- Verify that no installation or replacement of business signage without prior approval by the Price City Planning Department finding that properly reviewed and approved business signage promotes consistency in community signage and increases commercial activity in the community consistent with the Price City General Plan.
- Ensure compliance with the Utah Indoor Clean Air Act (Air Act) and signage installed to indicate smoking areas surrounding building ingress/egress finding that compliance with the Air Act protects the health, safety and welfare of the community.
- Verify that no removal or restriction to existing off-street parking spaces finding that off street parking requirements may increase by as much as five (5) spaces minimum based on building square footage of expansion.
- Ensure that no conditions at the property or structures that violate the Price City Property Maintenance Code finding that properly maintained properties and structures mitigate negative impacts to area property values and is consistent with the Price City General Plan.

ACCPETANCE: The applicant's agent, Mr. Paluso, acknowledged that he is aware of the conditions of approval, understands the conditions of approval and his client intends to comply with the conditions of approval. The Site Plan Amendment conditions will also be reviewed with Jim Patel upon signing of the agreement.

**MOTION**, Commissioner Holt moved to recommend the Price City Council provide final approval for the final site plan amendment approval for an expansion of the bar/lounge at the Ramada Hotel located at 838 Westwood Blvd., within the Commercial 1 (C-1) zoning district, based on the conditional land use in Section 11.3.4.11 Drinking Places-Alcoholic Beverages, of the Price City Land Use Management and Development Code (Code), the general evaluation criteria for the land use and site plan amendment is listed in Section 11.1 of the Code and the specific land use evaluation criteria and land use checklist is in Section 11.1.m of the Code. Motion seconded by Commissioner Holt and carried.

6. UNFINISHED BUSINESS – No unfinished business discussed.

Meeting adjourned at 6:20 p.m. pursuant to a motion by Commissioner Beacco. Motion seconded by Commissioner Thorne and carried.

APPROVED: \_\_\_\_\_  
Commissioner Dale Evans

ATTEST: \_\_\_\_\_  
City Recorder, Sherrie Gordon


**Mayor**  
JOE L PICCOLO  
**City Attorney**  
NICK SAMPINOS  
**Community Director**  
NICK TATTON  
**City Recorder**  
SHERRIE GORDON  
**Public Works Director**  
MILES NELSON



185 EAST MAIN • P.O. BOX 893 • PRICE, UT 84501  
PHONE (435) 637-5010 • FAX (435) 637-2905  
www.pricecityutah.com

## Price City Planning & Zoning Commission

**Planning & Zoning Commissioners**  
ROBERT OLIVER, CHAIR  
FRANKIE SACCO, VICE CHAIR  
JUDY BEACCO  
DALE EVANS  
NANCY BENTLEY  
RICHARD ROOT  
JAN YOUNG  
ALTERNATE: ERROLL HOLT  
ALTERNATE: TODD THORNE

**DATE:** JUNE 2, 2016  
**TO:** PRICE CITY PLANNING & ZONING COMMISSION  
**FROM:** NICK TATTON  
PRICE CITY   
**RE:** PAWN SHOP AND ARCADE LAND USE

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Please find attached a Conditional Use Permit (CUP) application submitted by Marty S. Robbins to locate a pawn shop and arcade at 90 E 100 S in an existing building within the Commercial 1 (C-1) zoning district. The general land use evaluation criteria is listed in Section 11.1 of the Price City Land Use Management and Development Code (Code) and the specific land use evaluation criteria/land use checklist is listed in Section 11.1.m of the Code. The applicable land uses are: Pawnbrokers, a conditional land use, Section 11.3.4.37.5 of the Code; Firearms, a conditional land use, Section 11.3.4.17.5 of the Code; Sporting Goods, a permitted land use, Section 11.3.4.40 of the Code; and, Public Assembly (to accommodate), a conditional land use, Section 11.3.10.5.6 of the Code.

It is the recommendation of staff to thoroughly discuss the land use(s) with the applicant and provide a recommendation of final approval to the Price City Council.

### **RECOMMENDED MOTION(S):**

1. Move to recommend the Price City Council provides final approval for the land use of a pawn shop and arcade at 90 E 100 S in an existing building within the Commercial 1 (C-1) zoning district, as applied for by Marty S. Robbins, based upon the general land use evaluation criteria is listed in Section 11.1 of the Price City Land Use Management and Development Code (Code) and the specific land use evaluation criteria/land use checklist is listed in Section 11.1.m of the Code, the land uses: Pawnbrokers, a conditional land use, Section 11.3.4.37.5 of the Code; Firearms, a conditional land use, Section 11.3.4.17.5 of the Code; Sporting Goods, a permitted land use, Section 11.3.4.40 of the Code; and, Public Assembly (to accommodate), a conditional land use, Section 11.3.10.5.6 of the Code, and subject to the following conditions of approval:
  - a. Maintain a minimum of eight (8) off-street parking spaces dedicated to the business in the shared lot to the west of the building finding that dedicated off-street parking mitigates the potential for vehicle and pedestrian accidents.
    - i.  $3,122 \text{ sq. ft. bldg.} \times .75 \text{ net usable} = 2,341.5 \text{ sq. ft.} / 300 \text{ feet per parking space} = 7.8 \text{ spaces (8 spaces)}.$

- b. Maintain garbage and rubbish dumpster off-street in a secured and/or enclosed manner with an appropriate service frequency finding that properly sized and serviced garage dumpsters prevent accumulations of garbage and rubbish and wind scatter of garbage and rubbish.
  - c. Installation of business signage only upon review and approval by the Price City Planning Department finding that properly reviewed and approved business signage promotes commercial activity and is consistent with the Price City General Plan.
  - d. Review of all firearms and ammunition storage and security by the Price City Police Chief and compliance with all safety recommendations stemming from the review finding that properly reviewed, stored and maintained firearms mitigate the potential for theft or other crimes.
    - i. Maintain valid registration with the State of Utah as a firearms dealer, if applicable.
  - e. Inspection of the building for safety by the Price City Building Inspector and Price City Fire Chief and compliance with all safety recommendation stemming from the inspection finding that reviewed, inspected and updated buildings protect the health, safety and welfare of the community.
    - i. Any building renovations to be completed under the auspices of a Price City Building Permit and inspection.
  - f. Maintain all business registrations and licensing, as applicable, finding that properly registered and licensed businesses improved commercial and economic activity.
    - i. Price City Business License.
    - ii. State of Utah Sales Tax Registration and Submission.
  - g. No loitering in the vicinity of the building finding that restricted loitering mitigates the potential for negative impact to surrounding structures and property.
  - h. No smoking compliance with the Utah Indoor Clean Air Act finding that restricted smoking mitigates the potential for negative health impacts to persons conducting business at the location.
  - i. No conditions at the property or structure that violate the Price City Property Maintenance Code finding that properly maintained properties and structures mitigates impacts to area property values and is consistent with the Price City General Plan.
2. Move to acknowledge that the applicant, applicants agents and representatives, are aware of the conditions of approval, understand the conditions of approval and intend to comply with the conditions of approval.





Fee: \_\_\_\_\_



## CONDITIONAL USE PERMIT APPLICATION

Send all completed and properly signed forms (including attachments as necessary) along with applicable fees to: Price City Community Development Department, P.O. Box 893, 185 East Main, Price, UT 84501. For questions call (435) 636-3184.

Please check one.

☒ **New Business** (Complete boxes 1 through 13 on page 1, and all subsequent pages)

☐ **New Construction/Development** (Check all applicable boxes below and complete entire application)

Plan Phase:

- ☐ Concept  
☐ Preliminary  
☐ Final

PLEASE TYPE OR PRINT LEGIBLY.

Applicant Information			
1. Applicant's Name: <b>MARTY S. ROBBINS</b>		2. Title: <b>CEO - Pres.</b>	
3. Applicant's Mailing Address: <b>587 W COTTONWOOD RD.</b>		4. Suite/Apt. No.:	
5. City: <b>PRICE</b>	6. State: <b>UT</b>	7. Zip Code: <b>84501</b>	
8. County: <b>CARBON</b>		9. Telephone: <b>(440)-520-9883</b>	
Project Information			
10. Name of Project (Business): <b>SHEM'S PAWN &amp; ARCADE</b>			
11. Address of Proposed Project: <b>90 E 100 N. PRICE UT 84501</b>			
12. Zone District (see attached zoning map):			
Nature of Proposed Work (Check all applicable items in boxes 13 through 16)			
13. <input checked="" type="checkbox"/> Sign <input type="checkbox"/> Commercial <input type="checkbox"/> Residential	14. <input type="checkbox"/> Zone Change <input type="checkbox"/> Storm Drainage <input type="checkbox"/> Street Work <input type="checkbox"/> Road Dedication <input type="checkbox"/> Water <input type="checkbox"/> Sewer	15. <input type="checkbox"/> Excavation <input type="checkbox"/> Fill Work <input type="checkbox"/> Building <input type="checkbox"/> Subdivision <input type="checkbox"/> Apartments <input type="checkbox"/> Electrical	16. <input type="checkbox"/> Industrial <input type="checkbox"/> Annexation <input type="checkbox"/> Flood Plain <input type="checkbox"/> Recreation <input type="checkbox"/> Street Opening <input type="checkbox"/> Demolition
17. Quarter Section(s):	18. Section(s):	19. Township(s):	20. Range(s) & Base:
21. Estimated Cost of Project: a) Site Work \$ _____ b) Buildings \$ _____ c) Other \$ <b>5,000</b> Total \$ <b>5,000</b>		22. Electrical Load Sheet: (Attach preliminary and final to application)	
		23. Project Plans: <input type="checkbox"/> Plans Included <input type="checkbox"/> Attachments (Number) _____	



## 24. Brief Description of Project:

NEW LIT sign ON BUILDING

## 25. Justification (Explain why this project is needed):

NEW BUSINESS

## 26. Names and Addresses of Adjoining Property Owners, Lessees, Etc.:

NAME	ADDRESS (City, ST, Zip)	TELEPHONE
1. GEORGE POULOS	120 100 S.	(435)-637-7156
2.		( )
3.		( )
27. Estimated Starting Date:	28. Estimated Completion Date:	29. Has P.R.W.I.D. Sewer Survey Been Submitted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3 / 20 / 2016	4 / 15 / 2016	

MARTY S. ROBBINS *Marty Robbins* 3-22-2016  
 Signature of Property Owner Date  
 MARTY S. ROBBINS G.E.O.  
 Please Print Name Title

## Office Use Only

## Recommendation of Planning and Zoning Administrator (Community Director):

- ☒ Approve  
☐ Decline

## Comments:

11.1 & 11.1.m - evaluation 11.3.4.40 sporting goods = P  
 11.3.4.37-5 Pawnbrokers = C 11.3.10.5.b = public Assembly = C  
 11.3.4.17-5 Firearms = C ARCADE

Signature: *Attest*

Date: 6-1-16

## Requires:

- ☒ Building Permit - Renovations  
☒ Conditional Use Permit  
☐ Code Amendment  
☐ Board of Adjustments Variance  
☐ Flood Plain Development Permit  
☒ Other: BSN. License.

## SITE PLAN

Please provide a drawing of your proposed site in the space below. Include building floor plan, profiles, cross-sections, dimensions, setbacks, and signs. Also indicate exits, restrooms, and fire extinguisher placement. Use an attached sheet of paper, if necessary.

Existing Building

90 E 100 S

PRICE UT

84501



## COMMUNITY DEVELOPMENT DEPARTMENT

185 EAST MAIN

P.O. BOX 893

PRICE, UTAH 84501

PHONE: (435) 636-3184, FAX: (435) 637-7263, WEB: [www.priceutah.com](http://www.priceutah.com)

### HOME OCCUPIED BUSINESS QUESTIONNAIRE

PLEASE TYPE OR PRINT LEGIBLY.

Applicant's Name: MARTY S. ROBBINS

Street Address: 90 E 100 S

Mailing Address (if different): 587 N COTTON WOOD RD

Home Telephone: (435) 650 2282 Business Telephone: (440) 520-9883 Cell Phone: ( )

Please indicate which of the above telephone numbers we can reach you at during the day (440) 520 9883

Zoning District of Home (see attached zoning map): \_\_\_\_\_

Name of Business: SHEM PROPERTIES, INC.

Describe business to be conducted: ARCADE FOR ADULTS + CHILDREN

SECOND HAND MERCHANDISE

Chapter 1.13.90, Land Use Development and Management Code of the Price City Municipal Code, outlines the provisions of a business to be operated from a home (***please read attached Code section***).

The following information is required by the Planning and Zoning Commission in order to review your request for a Home Occupied Business. This form must be completed and returned to the Community Director, or City Recorder, located at City Hall, 185 East Main, second floor, ***10 days prior*** to the Planning and Zoning Commission meeting you wish to attend (see attached meeting schedule). ***Incomplete applications will not be accepted or placed on the meeting agenda.***

A ***\$50 fee*** applies to all Home Occupied Business Applications. This fee must accompany the application. All fees are to be paid at the Price City Utilities Office located on the first floor of City Hall, 185 East Main. If you have any questions, please call (435) 636-3184.

If you are ***NOT*** residing in the home you are doing business in, it is ***NOT*** a Home Occupied Business. You only need to complete the Conditional Use Permit and Business License Applications.



Please circle the correct answers pertaining to your proposed Home Occupied Business. Please answer all questions completely.

- NO 1. What percentage of the home will be used in the business? \_\_\_\_\_  
(Take measurements if necessary)
- Yes No 2. Will the business be located downstairs?  
Yes No If yes, is there an exit to the outside?
- Yes No 3. Will an accessory building, such as a shed or garage, be used in the operation of the business?  
Yes No If yes, is it already built?  
Yes No Is it attached to the home?
- Yes No 4. Will yard space be involved in the business?  
If yes, for what purpose? \_\_\_\_\_
- Yes No 5. Will anyone, other than family members living within the home, be employed in the operation of the business?
- Yes No 6. Is the home facing a public street?
- Yes No 7. Will the business generate traffic?  
If yes, how much? \_\_\_\_\_
- Yes No 8. Will cars be parked at this location while doing business?  
If yes, how many cars will be parked at any one time? \_\_\_\_\_  
How many vehicles can be parked off the street? 8 - 15
- Yes No 9. Will deliveries be made to/from the home occupied business location?  
If yes, what types of vehicles will be used? PICKUP TRUCK FED-X UPS,  
How frequently? TRUCKS SIMILAR THAN 26,000 LB. WEEKLY
- Yes No 10. Will inventory be stored in the home?  
If yes, what type and quantity? \_\_\_\_\_
- Yes No 11. Will your business advertise?  
If yes, how? VALPAK / NEWS PAPER
- Yes No 12. Will you use a business sign?  
If yes, where will it be located? ON FRONT OF BUILDING  
(Size limitation is 150 square inches)
13. Obtain and submit with this application, the signatures of all property owners within a **250 foot radius** from front and rear property corners indicating whether they do or do not have any objections to the proposed business (**use attached form on Page 5**). We recommend that you fill in your name, address, and the business description before making copies. To request a map showing the homes located within the 250 foot radius, please visit the **County Recorder's Office**, or contact the Price City Community Director (636-

3184) for information and assistance. **IF HOME IS FOR OFFICE USE ONLY, NO SIGNATURES ARE REQUIRED.**

- 14.** Please provide a sketch of the home floor plan, lot, and yard in the space below. You must show defined areas to be used for the Home Occupied Business. Use a separate sheet of paper if necessary.



I hereby certify that the above information is accurate, true, and correct to the best of my knowledge and understanding. I also understand that falsification and/or failure to provide information herein will be grounds for revoking my Home Occupied Business License.

I have read the Home Occupied Businesses regulations, Chapter 1.13.90 of the Land Use Development and Management Code of the Price City Municipal Code, included herein, and I understand and will comply with this ordinance. Any violations of this ordinance can result in the revoking of my Home Occupied Business License.

  
\_\_\_\_\_  
Signature of Applicant

3-22-16  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning and Zoning Commission Approval

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Council Approval

\_\_\_\_\_  
Date

**PRICE MUNICIPAL CORPORATION**

**HOME OCCUPIED BUSINESS**

**PROPERTY OWNER'S SIGNATURE REVIEW FORM**

**250 FOOT RADIUS**

**DEFINITION OF HOME OCCUPATION:** An occupation of a person or family where they reside and which occupation is clearly incidental and secondary to the use of the structure for dwelling and residential purposes, and does not change the residential character of the dwelling or the neighborhood, and in connection with which there is no display and/or stock of merchandise. The home occupation shall not involve the use of an accessory building, either attached or detached, which substantially changes the character of the dwelling or of the neighborhood.

I, the undersigned, have reviewed with the applicant, \_\_\_\_\_, the proposed Home Occupied Business located at \_\_\_\_\_ for the defined purpose of conducting the following business within the home as described below:

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I fully understand the nature of this request and (approve) \_\_\_\_\_ (disapprove) \_\_\_\_\_ this application.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Address of Property Owner

\_\_\_\_\_  
Date



## PRICE CITY FIRE DEPARTMENT

87 NORTH 200 EAST  
PRICE, UTAH 84501  
(435) 636-3187

### HOME OCCUPIED BUSINESS FIRE SAFETY QUESTIONNAIRE

Business Name: SHEM PROPERTIES, INC. Business Telephone: 440-520-9883  
Business Address: 90 E 100 S  
Business Owner: MARTY S. ROBBINS Home Telephone: 435-650-2282  
Type of Business: ARCADE Center / SECOND HAND STORE

The following information is related to the space in your home used for the home occupation. The information is requested in an effort to help business owners comply with the International Fire Code and to promote fire safety. Please note that this list does not address all issues pertaining to the Fire Code.

#### Please answer the following questions.

1. Are home address numbers clearly visible from the street? (Minimum of 4" tall) Yes ☒ No ☐
2. Are all combustible materials stored at least 36" from heat sources, including adequate clearance from water heater, boiler, furnace, and heating appliances? Yes ☒ No ☐
3. Are all of your gas appliances properly vented, and is there adequate combustion air for the appliances to function properly? Yes ☒ No ☐
4. Do you have at least one 5 pound commercial "rechargeable" ABC fire extinguisher (2A 10BC rating)? Portable fire extinguishers must be inspected and tagged annually. Yes ☒ No ☐
5. Are fire extinguishers mounted where they are visible and readily accessible? Yes ☒ No ☐
6. Are you storing any flammable or combustible materials in excess of 5 gallons? Yes ☐ No ☒
7. Are you storing any explosives, hazardous materials, chemicals, gun powder, or ammunition? Yes ☐ No ☒
8. Are all attics, basements, furnace rooms, stairs, and areas under stairs free of accumulated waste paper, rubbish, rags, etc? Yes ☒ No ☐
9. Are extension cords being used and are they placed so as not to be a fire or tripping hazard? Are all extension cords in good condition (no fraying or damage) and do they have the proper polarization or grounding devices attached? Yes ☐ No ☒  
\*(Extension cords are for temporary use and not to be used as permanent wiring)\*
10. Are all electrical outlets and circuits used within their rated capacities? Yes ☒ No ☐
11. Are electrical cover plates on all switches, outlets, and plugs? Yes ☒ No ☐
12. Are all of the electrical panels accessible and are the circuits clearly labeled? Yes ☒ No ☐

13. Are all exits, corridors, and stairways operable and free of obstruction? Yes ☒ No ☐
14. Do you have fire or smoke detectors and are they functioning, properly placed, and maintained? Yes ☒ No ☐
15. Do you have any questions about fire safety or fire code? (If so, contact the Price City Fire Chief at 636-3187) Yes ☐ No ☒
16. Do you have a carbon monoxide detector? Although it is not required by the Fire Code, we encourage you to have one for your safety. Yes ☐ No ☒



Owner's Signature

3-22-16

Date

**Effective 5/13/2014****13-32a-104 Register required to be maintained -- Contents -- Identification of items -- Prohibition against pawning or selling certain property.**

- (1) Every pawnbroker or secondhand merchandise dealer shall keep a register of each article of property a person pawns or sells to the pawnbroker or secondhand merchandise dealer, except as provided in Subsection 13-32a-102(23)(b). Every pawn and secondhand business owner or operator, or his employee, shall enter the following information regarding every article pawned or sold to the owner or employee:
- (a) the date and time of the transaction;
  - (b) the pawn transaction ticket number, if the article is pawned;
  - (c) the date by which the article must be redeemed;
  - (d) the following information regarding the person who pawns or sells the article:
    - (i) the person's name, residence address, and date of birth;
    - (ii) the number of the driver license or other form of positive identification presented by the person, and notations of discrepancies if the person's physical description, including gender, height, weight, race, age, hair color, and eye color, does not correspond with identification provided by the person;
    - (iii) the person's signature; and
    - (iv) a legible fingerprint of the person's right index finger, or if the right index finger cannot be fingerprinted, a legible fingerprint of the person with a written notation identifying the fingerprint and the reason why the index finger's print was unavailable;
  - (e) the amount loaned on or paid for the article, or the article for which it was traded;
  - (f) the identification of the pawn or secondhand business owner or the employee, whoever is making the register entry; and
  - (g) an accurate description of the article of property, including available identifying marks such as:
    - (i) names, brand names, numbers, serial numbers, model numbers, color, manufacturers' names, and size;
    - (ii) metallic composition, and any jewels, stones, or glass;
    - (iii) any other marks of identification or indicia of ownership on the article;
    - (iv) the weight of the article, if the payment is based on weight;
    - (v) any other unique identifying feature;
    - (vi) gold content, if indicated; and
    - (vii) if multiple articles of a similar nature are delivered together in one transaction and the articles do not bear serial or model numbers and do not include precious metals or gemstones, such as musical or video recordings, books, or hand tools, the description of the articles is adequate if it includes the quantity of the articles and a description of the type of articles delivered.
- (2) A pawn or secondhand business may not accept any personal property if, upon inspection, it is apparent that serial numbers, model names, or identifying characteristics have been intentionally defaced on that article of property.
- (3)
- (a) A person may not pawn or sell any property to a business regulated under this chapter if the property is subject to being turned over to a law enforcement agency in accordance with Title 77, Chapter 24a, Lost or Mislaid Personal Property.
  - (b) If an individual attempts to sell or pawn property to a business regulated under this chapter and the employee or owner of the business knows or has reason to know that the property is subject to Title 77, Chapter 24a, Lost or Mislaid Personal Property, the employee or owner

shall advise the individual of the requirements of Title 77, Chapter 24a, Lost or Mislaid Personal Property, and may not receive the property in pawn or sale.

(4) A violation of this section is a class B misdemeanor and is also subject to civil penalties under Section 13-32a-110.

Amended by Chapter 189, 2014 General Session



Account No: \_\_\_\_\_  
Business Activity: \_\_\_\_\_  
Fee: \_\_\_\_\_



## BUSINESS LICENSE APPLICATION

Send all completed and properly signed forms (including attachments as necessary) along with applicable licensing fees to: Price City Business Licensing, P.O. Box 893, 185 East Main, Price, UT 84501. For questions call (435) 636-3183.

PLEASE TYPE OR PRINT LEGIBLY.

☐ Renewal (check and show changes only on form below)

### Business Information

Business Status: ☒ New Business ☐ Location Change ☐ Name Change ☐ Ownership Change

Business Name (include DBA): SHEM PROPERTIES, INC / SHEM'S PAWN + ARCADE Center  
If Name Change, list previous name: MARTY'S PAWN + ARCADE Center

Business Address: 90 E 100 S Suite/Apt. No.: \_\_\_\_\_

City: Price State: UT Zip Code: 84501

Business Telephone: (435) 650-2282 Business E-mail: BERTSHEM@YANOO.COM Business Fax: \_\_\_\_\_

Mailing Address (if different): 587 N COTTONWOOD RD City: Price State: UTAH Zip Code: 84501

Property Owner's Name: SHEM PROPERTIES, INC Property Owner's Telephone: ( ) \_\_\_\_\_

Type of Organization: ☒ Corporation ☐ Partnership ☐ Sole Proprietorship ☐ LLC  
(Include copy of name registration with the State of Utah)

Type of Business: ☒ Commercial ☐ Home Occupation ☐ Reciprocal Building Occupancy Type: \_\_\_\_\_

Nature of Business: ☐ Manufacturing ☒ Retail ☒ Wholesale ☐ Services ☒ Other: \_\_\_\_\_

Opening Date: 4-1-16 Business Hours: From 10 A To 9 P-11 M T W T H F S SU (please circle)

### Detailed Description of Business:

PAWN SHOP 10A - 6P  
ARCADE ADULTS & CHILDREN 10A - 9 SAT Till 11

Commercial Square Feet: 4500 No. of Mobile Home Spaces: \_\_\_\_\_

No. of RV Spaces: \_\_\_\_\_

State Sales Tax I.D. No. (Include copy or proof of exemption): 12695712-004-57C

Federal Tax I.D. No. (Include copy, if applicable): 45-3487832

State License No. (Include copy, if applicable): \_\_\_\_\_

State License Type: \_\_\_\_\_

THE FOLLOWING LICENSES ARE SUBJECT TO ADDITIONAL REQUIREMENTS. Please contact the Business Licensing Officer (City Treasurer) at (435) 636-3161, or 185 East Main, for more information. **Check all that apply.**

- ☐ Alcoholic Beverages
- ☐ Eating Establishment
- ☐ Taxi Cab/Motor Carrier
- ☒ Pawnbroker
- ☐ Sexually Oriented Business

**NOTE:** If applying for any of these businesses, other than an Eating Establishment, please complete the Consent to a Background/Criminal History Check form included with this application.

If applicant is a SOLE PROPRIETOR, complete this section.

Owner's Name: MARTY S. ROBBINS  
Owner's Address: 587 N COTTON WOOD RD Suite/Apt. No.:  
City: PRICE State: UTAH Zip Code: 84501  
Owner's Telephone: (440) 520-9883 Owner's E-mail: BERTSHEM@YAHOO.COM Owner's Fax:  
Owner's Birth Date: 10-12-1963 Owner's Drivers License No. (include state & provide copy): 196992929

Manager Information (if applicable)

Manager's Name:  
Manager's Address: Suite/Apt. No.:  
City: State: Zip Code:  
Manager's Telephone: ( ) Manager's E-mail: Manager's Fax:  
Manager's Birth Date: Manager's Drivers License No. (include state):

If applicant is a CORPORATION, PARTNERSHIP, OR LLC, complete this section.

ALL OFFICERS (First/Middle/Last)	HOME ADDRESS (City, ST, Zip)	HOME TELEPHONE
1. <u>MARTY S. ROBBINS</u>	<u>587 N. COTTONWOOD RD</u> <u>PRICE UT. 84501</u>	<u>(435) 650-2282</u>
2.		( )
3.		( )

TITLE	DATE OF BIRTH (MM/DD/YYYY)	DRIVERS LICENSE NO. (Include copy)
1. <u>CEO, PRES.</u>	<u>10 / 12 / 1963</u>	<u># 196992929</u> ST <u>UT.</u>
2.	/ /	# ST
3.	/ /	# ST

I am aware that this application does not constitute approval to operate a business. I hereby agree to conduct said business strictly in accordance with the laws and ordinances covering such business, and swear under penalty of law that the information contained herein is true.

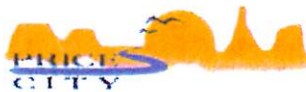
Marty Robbins 03-22-2016  
Signature of Owner/Agent Date  
MARTY S. ROBBINS CEO, PRES.  
Please Print Name Title

Please allow at least 10 working days for your application to be processed.

Office Use Only

Approvals:  
Business Licensing \_\_\_\_\_ Fire: \_\_\_\_\_ Inspection: \_\_\_\_\_  
Police: \_\_\_\_\_ P & Z: \_\_\_\_\_ Other: \_\_\_\_\_  
Date Approved: \_\_\_\_\_





**PRICE CITY POLICE DEPARTMENT**

910 NORTH 700 EAST  
PRICE, UTAH 84501  
(435) 636-3190

**CONSENT TO A BACKGROUND/CRIMINAL HISTORY CHECK**

I hereby consent to a background security and criminal history check to be performed by the Price City Police Department in connection with my business license application.

Dated this 22 day of MARCH, 20 16.

Marty Robbins

Signature

MARTY S. ROBBINS

(Please Print Name)

UT  
USA

**Utah** DRIVER LICENSE

4d **196992929** 4a Iss **10/10/2012**

1 **ROBBINS**

2 **MARTY S**

3 DOB **10/12/1963**

8531 S ARNOLD COURT  
ALPINE, UT 84004

5 DD **1** E 4b Exp **10/12/2017**

9 Class **D** 9a End

12 Restrictions **A**

DONOR Y 16 Hgt **5'10"** 18 Eyes **BLU**

15 Sex **M** 17 Wgt **300** 19 Hair **BLN**

Commissioner of Public Safety *[Signature]*

*[Signature]*

Francine Giani  
Executive Director  
Department of Commerce

  
Gary Herbert  
Governor  
State of Utah

Kathy Berg  
Director  
Division of Corporations  
& Commercial Code

MARTY S ROBBINS  
**SHEM PROPERTIES , INC.**  
65 W CENTER ST  
OREM UT 84057



State of Utah  
Department of Commerce  
Division of Corporations & Commercial Code

## CERTIFICATE OF REINSTATEMENT

Corporation - Domestic - Profit

This certifies that **SHEM PROPERTIES , INC.** filed a reinstatement on **10/05/2015** which was approved on **10/05/2015**. The company has been reinstated in the office of the Division and hereby issues this Certificate as proof thereof.

A handwritten signature in cursive script that reads "Kathy Berg".

**KATHY BERG**  
Division Director



Utah Department of Commerce  
Division of Corporations & Commercial Code  
160 East 300 South, 2nd Floor, S.M. Box 146705  
Salt Lake City, UT 84114-6705  
Phone: (801) 530-4849  
Toll Free: (877)526-3994 Utah Residents  
Fax: (801) 530-6438  
Web Site: <http://www.commerce.utah.gov>

Registration Number: 8489996-0142  
Business Name: SHEM PROPERTIES, INC.  
Registered Date: NOVEMBER 13, 2012

February 25, 2016

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## CERTIFIED COPY OF THE ENTIRE FILE

THE UTAH DIVISION OF CORPORATIONS AND COMMERCIAL CODE ("DIVISION") HEREBY CERTIFIES THAT THE ATTACHED IS TRUE, CORRECT, AND COMPLETE COPY OF THE ENTIRE FILE OF

SHEM PROPERTIES, INC.

AS APPEARS OF RECORD IN THE OFFICE OF THE DIVISION.



*Kathy Berg*

Kathy Berg  
Director  
Division of Corporations and Commercial Code

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Dept. of Professional Licensing  
(801)530-6628

Real Estate  
(801)530-6747

Public Utilities  
(801)530-6651

Securities  
(801)530-6600

Consumer Protection  
(801)530-6601



**Profit Corporation**  
**ARTICLES OF INCORPORATION**  
**OF**  
**Shem Properties, Inc.**

The undersigned persons, acting as incorporators under the Utah Revised Business Corporation Act, adopt the following Articles of Incorporation for such Corporation:

**Article I**  
**Corporate Name**

The name of the corporation is Shem Properties, Inc.

**Article II**  
**Purpose**

purchase of multifamily units

The corporation shall further have unlimited power to engage in and do any lawful act concerning any and all lawful business for which corporations may be organized under the Utah Revised Business Corporation Act and any amendments thereto.

**Article III**  
**Capital Stock**

Class of Shares	Number of Shares
Common	100000000
Preferred	0



State of Utah  
Department of Commerce  
Division of Corporations & Commercial Code

This certifies that this registration has been filed and approved on 13, November 2012 in the office of the Division and hereby issues this Certification thereof.

KATHY BERG  
Division Director

**UTAH STATE TAX COMMISSION**

TAXPAYER SERVICES DIVISION 210 N 1950 W, SALT LAKE CITY, UT 84134

Website: [tax.utah.gov](http://tax.utah.gov)**Sales Tax License and/or Use Tax Certificate of Registration**

SHEM PROPERTIES INC  
SHEM PROPERTIES INC  
65 W CENTER ST  
OREM UT 84057-4605

Account Number: **12095712-004-STC**

This business is registered to make  
taxable sales from the  
incorporated city of:  
**Orem**

Outlet: 001 Issued: October 1, 2013 Valid until revoked or cancelled. Post in a noticeable place.

This business is authorized to make taxable sales, purchase tax free for resale, collect and remit sales and use taxes in the State of Utah. The authority to engage in business is subject to city and/or county business licensing laws and other rules and regulations. This license may be revoked for violations or failure to comply with these laws, rules and regulations. If this business moves, closes or is sold, you must contact the Tax Commission immediately by calling 801-297-2200 or toll free 1-800-662-4335 and return this license to the Tax Commission for cancellation. This license is NOT transferable.

ABOVE IS YOUR

**SALES TAX LICENSE**

TEAR OFF AT PERFORATION AND POST IN A NOTICEABLE PLACE.

Keep this portion for your records.

Account Number: **12095712-004-STC**<<< Use this number for all correspondence or contact  
with the Utah State Tax Commission.Jurisdiction: **Orem**Issued: **October 1, 2013**

Your Personal Identification Number (PIN) will be sent in a different notice in a few days.  
You are required to register your account at [taxexpress.utah.gov](http://taxexpress.utah.gov) for electronic filing, paying  
and managing your account. Your PIN is needed to register.

**NOTICE OF LIABILITY**

If you are purchasing a business, have the former business owner provide you a notice/receipt from the Tax Commission stating the sales and use taxes are paid in full. If the notice/receipt is not provided, Utah law requires you keep enough of the purchase money to pay the unpaid taxes. You may be held personally liable for any taxes not paid by the former owner.

**TAX FREE PURCHASES**

Merchandise purchased tax free, but used or consumed by your company, must be reported on your sales and use tax return.  
You must pay sales and use tax on goods that you or your company consume.

**UTAH STATE TAX COMMISSION**

PROCESSING DIVISION

210 N 1950 W SALT LAKE CITY UT 84134-0000

Website: [tax.utah.gov](http://tax.utah.gov)

SHEM PROPERTIES INC

October 3, 2013

**Please Note**

- If you file tax returns using paper forms, you must use official Tax Commission forms or approved substitute forms. See Publication 99, *Guidelines for Substitute and Copied Utah Tax Forms* online [tax.utah.gov/forms](http://tax.utah.gov/forms).
- We may assess penalties and interest if you do not file your tax return or pay your taxes in full by the due date. We may also assess penalties if you file using unapproved tax forms.
- If any of your tax accounts require a license, we will mail them to you.

**Contact Information**

If you have any questions, please call the Taxpayer Services Division at 801-297-2200 or toll free at 1-800-662-4335 or send us a fax at 801-297-6358. You may also write to the Taxpayer Services Division at the address at the top of this notice.

Respectfully,  
Taxpayer Services Division

**Account Summary**

Tax Type	Account Number	Liability Start Date	Filing Frequency	Payment Frequency	Tax Return Form Number	First Return Due Date	First Payment Due Date
Corporate Income	12095712-002-CPT	November 15, 2012	Annual	Annual	Unavailable		
Withholding (WTH)	12095712-003-WTH	January 15, 2013	Quarterly	Quarterly	TC-941	Was April 30, 2013	Was April 30, 2013
Sales and Use Tax (STC)	12095712-004-STC	October 1, 2013	Quarterly	Quarterly	TC-62S	January 31, 2014	January 31, 2014

**ACKNOWLEDGEMENT AGREEMENT FOR CONDITIONS OF LAND USE AS REQUIRED BY THE PRICE CITY  
PLANNING AND ZONING DEPARTMENT AND AS AGREED TO BY THE LAND USE APPLICANT FOR THE LAND  
USE OF A PAWNSHOP (AND INTRINSIC USES) AND ARCADE AT 90 EAST 100 SOUTH WITHIN THE  
COMMERCIAL 1 (C-1) ZONING DISTRICT.**

**Purpose:** the purpose of this agreement is to establish the terms and conditions of an agreement between Price City and **MARTY S. ROBBINS**, regarding the conditions of land use associated with Price City Land Use Management and Development Code (Code) as it is associated with **SHEM'S PAWN AND ARCADE, MARTY S. ROBBINS**.

**Parties:** this agreement is made by and between Price City (City), 185 East Main Street, Price, Utah 84501 and **MARTY S. ROBBINS** (Applicant), for the property located at **90 EAST 100 SOUTH**.

**Term:** the term of this agreement commences on **June 20<sup>th</sup>, 2016** and will perpetually run with the land unless terminated based on a change of use or other performance or compliance factors as outlined in the Price City Land Use Management and Development Code (Code). This contract is further subject to compliance with all Code requirements and other state, federal or local permitting.

The parties identified above hereby agree to the following:

**Applicant Shall:**

- Maintain a minimum of eight (8) off-street parking spaces dedicated to the business in the shared lot to the west of the building finding that dedicated off-street parking mitigates the potential for vehicle and pedestrian accidents.
  - 3,122 sq. ft. bldg. X .75 net usable = 2,341.5 sq. ft. / 300 feet per parking space = 7.8 spaces (8 spaces).
- Maintain garbage and rubbish dumpster off-street in a secured and/or enclosed manner with an appropriate service frequency finding that properly sized and serviced garage dumpsters prevent accumulations of garbage and rubbish and wind scatter of garbage and rubbish.
- Installation of business signage only upon review and approval by the Price City Planning Department finding that properly reviewed and approved business signage promotes commercial activity and is consistent with the Price City General Plan.
- Review of all firearms and ammunition storage and security by the Price City Police Chief and compliance with all safety recommendations stemming from the review finding that properly reviewed, stored and maintained firearms mitigate the potential for theft or other crimes.
  - Maintain valid registration with the State of Utah as a firearms dealer, if applicable.
- Inspection of the building for safety by the Price City Building Inspector and Price City Fire Chief and compliance with all safety recommendation stemming from the inspection finding that reviewed, inspected and updated buildings protect the health, safety and welfare of the community.
  - Any building renovations to be completed under the auspices of a Price City Building Permit and inspection.
- Maintain all business registrations and licensing, as applicable, finding that properly registered and licensed businesses improved commercial and economic activity.
  - Price City Business License.
  - State of Utah Sales Tax Registration and Submission.
- No loitering in the vicinity of the building finding that restricted loitering mitigates the potential for negative impact to surrounding structures and property.
- No smoking compliance with the Utah Indoor Clean Air Act finding that restricted smoking mitigates the potential for negative health impacts to persons conducting business at the location.
- No conditions at the property or structure that violate the Price City Property Maintenance Code finding that properly maintained properties and structures mitigates impacts to area property values and is consistent with the Price City General Plan.

**Price City Shall:**

- Authorize the land use contemplated herein and under the terms and conditions set forth as indicated in the Code.

**SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.**

Price City

Applicant:

By Robert Oliver, Chair

**Marty S. Robbins**

ATTEST:

Sherrie Gordon, City Recorder

# CONDITIONAL USE PERMIT AMENDMENT

THIS PERMIT IS HEREBY APPROVED FOR:

**A LAND USE OF: A PAWN SHOP (AND  
INTRINSIC USES) AND ARCADE LOCATED  
AT 90 EAST 100 SOUTH, WITHIN THE  
COMMERCIAL 1 (C-1) ZONING DISTRICT**

CONSISTENT WITH THE TERMS, CONDITIONS AND REQUIREMENTS SET FORTH  
BY THE PRICE CITY PLANNING AND ZONING COMMISSION, THE PRICE CITY  
COUNCIL AND THE PRICE CITY LAND USE MANAGEMENT AND DEVELOPMENT  
CODE.



SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_